

Nursing Home Residents

in
New
Jersey



**WE HAVE
RIGHTS!**



Introduction

As a nursing home resident in New Jersey, you have special rights that are guaranteed by law.

- **You have the right to physical privacy.**
- **You should be treated with courtesy and consideration.**
- **You may organize or participate in a Resident Council.**

These are just a few of your rights. A more complete list appears on the back of this brochure. The New Jersey State Department of Health and Senior Services has prepared this information to help you and your family understand your rights. We are also available to help you if your rights are being violated. You can call us confidentially and toll-free at 1-800-792-9770 to make a complaint. We want to make sure that your rights are respected and enforced, because your safety, well-being, and happiness are very important to all of us.

New Jersey Department of
Health and Senior Services

Complaints and Questions

You have the right to voice complaints without being threatened or punished. The nursing home is required to provide you and your next of kin or guardian with the names, addresses, and telephone numbers of the government agencies to which you can complain or ask questions. This information must also be posted in a conspicuous place near every public telephone and on all public bulletin boards in the nursing home.

Here are two government agencies you can call or write for information and assistance:

Office of the Ombudsman for the Institutionalized Elderly

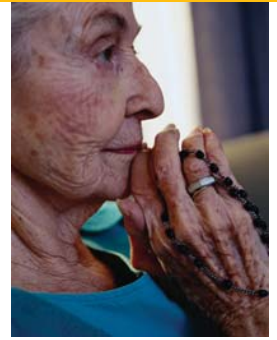
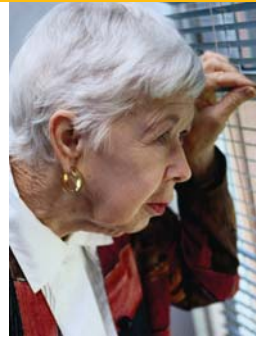
PO Box 807, Building 12-B, Quakerbridge
Rd Trenton, NJ 08625-0807
1-877-582-6995 (toll free)

New Jersey Department of Health and Senior Services

Long Term Care Systems
PO Box 367
Trenton, New Jersey 08625-0367

Complaints: 1-800-792-9770 (toll-free)

Questions: 1-800-367-6543 (toll-free)



This brochure will answer the following questions:

1. **May I wear my own clothes?**
2. **May I refuse to take certain medication?**
3. **Do I have the right to have a phone in my room?**
4. **I've been told I have the right to meet with any visitor I want. Is that true?**
5. **Whom can I call if I think my rights are being violated?**
6. **Does the nursing home have the right to open my mail without my permission?**

For the answers to these questions, consult the list of Resident Rights on the inside of this brochure.

List of Resident Rights

As a nursing home resident in New Jersey, you have the following rights:



Medical Care

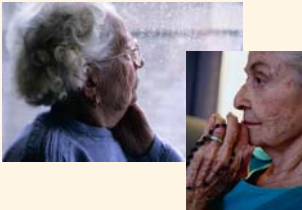


- To retain the services of a physician you choose, at your own expense or through a health care plan.
- To have a physician explain to you — in language that you understand - your complete medical condition, the treatment planned for your care, and the expected results of your treatment.
- To participate in planning your medical treatment and care.
- To refuse medication and treatment after you have been informed of the possible consequences of your decision. You may also refuse to participate in experimental research.

Freedom from Abuse and Restraints

- Freedom from physical and mental abuse.
- Freedom from chemical and physical restraints, unless they are authorized by a physician for a limited period of time to protect you or others from injury.

Finances



- To manage your own finances or to delegate that responsibility.
- To receive a written statement describing the services provided by the nursing home and the related charges.
- To receive a quarterly written account of all your funds and property that are deposited with the facility for your use and safekeeping.
- To have daily access during specified, reasonable hours to the money and property you have deposited with the nursing home.

Physical and Personal Environment

- To live in safe, decent and clean conditions.
- To be treated with courtesy, consideration and respect.
- To wear your own clothes, unless this would be unsafe or impractical. All clothes provided by the nursing home must fit you properly.
- To keep and use your personal property, unless this would be unsafe, impractical, or an infringement on the rights of other residents. The nursing home must take precautions to ensure that your personal possessions are secure from theft, loss and misplacement.

Visits and Activities

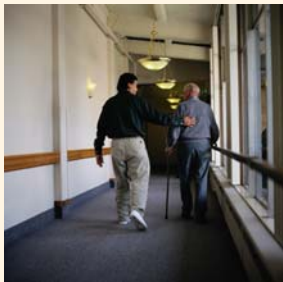


- To stay out of bed as long as you wish if approved by your doctor.
- To meet with any visitors of your choice between 8 a.m. and 8 p.m. daily.
- To take part in nursing home activities, and to meet with and participate in the activities of any social, religious and community groups.
- To leave the nursing home during the day.
- To refuse to perform services for the nursing home.
- To request visits at any time by representatives of the religion of your choice and, upon your request, to attend outside religious services at your own expense.
- To participate in meals, recreation and social activities without being subjected to discrimination based on your age, race, religion, sex or nationality.
- To organize and participate in a Resident Council that presents residents’ concerns to the administrator of the facility.

Privacy and Confidential Treatment

- To have physical privacy. You must be allowed, for example, to maintain the privacy of your body during medical treatment and personal hygiene activities unless you need assistance for your own safety.
- To have reasonable opportunities for intimate physical and social interaction with other people.
- To have confidential treatment of information about you.

Discharges and Transfers



- To be notified of a change in your room or roommate and to have an informal hearing with the administrator first.
- To receive assistance in awakening, dressing, and participating in activities unless your physician specifies the reason(s) in your medical record.
- To discharge yourself from the nursing home by presenting a release signed by you, your next of kin, or your guardian.
- To be transferred or discharged only for one or more of the following reasons:
 1. In an emergency, with notification of your physician and your next of kin or guardian.
 2. For medical reasons, to protect your welfare or the welfare of others or to comply with your Advance Directive.
 3. For nonpayment of fees, in situations not prohibited by law.
- To receive notice at least 30 days in advance when the nursing home requests your transfer or discharge, except in an emergency.

Mail and Telephones

- To receive and send your mail in unopened envelopes. You also have a right to request and receive assistance in reading and writing correspondence.
- To have private access to a telephone. You may have a private telephone in your living quarters at your own expense.

Protection of Your Rights



- To be given a written statement of your rights as well as any additional regulations established by the nursing home involving your rights and responsibilities. Copies should also be given to your family and the staff.
- To retain and exercise all the constitutional, civil and legal rights to which you are entitled by law. The nursing home is required to encourage and help you to exercise these rights.